

**NEXUS BANKRUPTCY**  
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Attorney for Creditor,  
Chandler Olson

**UNITED STATES BANKRUPTCY COURT**  
**CENTRAL DISTRICT OF CALIFORNIA - SANTA ANA DIVISION**

In re:

ARVIN PETER MANI,

Debtor.

Case No: **8:22-bk-12093-TA**

**Chapter 13**

**OBJECTION TO CONFIRMATION OF  
CHAPTER 13 PLAN**

**Hearing:**

Date: February 22, 2023

Time: 1:30 PM

Courtroom: 5B

Chandler Olson (hereinafter "Creditor"), hereby objects to the confirmation of Debtor's  
Chapter 13 Plan as follows.

**STATEMENT OF FACTS**

The debt at issue arises from judgment being entered in favor of Creditor on January 16,  
2013 in the amount of \$112,687.10. Attached hereto as Exhibit A is a true and correct copy of  
the Judgment. Creditor thereafter obtained an Abstract of Judgment and recorded it at the Orange  
County Recorder's Office.

The judgment was most recently renewed on August 24, 2021 in the amount of  
\$209,735.69, as evidenced by the Renewed Abstract of Judgment recorded on July 5, 2022. As  
of the date the instant Chapter 13 was filed, the debt had grown at 10% interest to more than  
\$237,000. Attached hereto as Exhibit B is a true and correct copy of the Renewed Abstract.  
Creditor will be filing a Proof of Claim to account for the interest and costs as required by

1 Federal Rule of Bankruptcy Procedure 3001(c)(2)(A).

2 Debtor's Chapter 13 Plan states that the claim is for \$112,687.10 and the applicable  
3 interest rate is 0%. The Plan provides for payments of \$300 for 12 months, and then \$6,148.24  
4 for months 13 through 60. On Debtor's Schedules I and J, he states that his monthly net income  
5 is \$304. On Schedule I, line 13 and on Schedule J, line 24, the Debtor states that he is not  
6 expecting any changes to his income or expenses within the next year.

7 At the Debtor's 341(a) examination, he stated that he intends to fund the plan through an  
8 inheritance he expects to be receiving from his mother's estate which he listed Schedule B as  
9 having a value of \$1,000,000. However, he was unable to confirm any salient information  
10 regarding the trust or whether a probate case had been filed. Based on a name search through the  
11 LA County Court's website, it can be fairly easily presumed that the case the Debtor claims an  
12 interest in is In re Josefa A. Mani (case no; 22STPB12425) filed on December 14, 2022 (two  
13 days after the instant bankruptcy case) with Arvin P Mani as the Petitioner. Attached hereto as  
14 Exhibit C is a true and correct copy of the Docket and Petition for Probate. The Petition for  
15 Probate lists the total value of the Probate Estate of \$375,000. To be clear, on the Petition for  
16 Probate filed on December 14, 2022 the Debtor listed the Probate Estate as having a value of  
17 \$375,000. Then, less than 2 weeks later, on December 27, 2022, the Debtor listed the value of  
18 the Probate Estate on Schedule B as having a value of \$1,000,000. As of yet, Debtor has not filed  
19 an Inventory and Appraisal in the Probate Case.

## 20 21 ARGUMENT

22 Section 1325 of the Bankruptcy Code sets for the requirements for confirmation of a  
23 Chapter 13 plan. The debtor carries the burden to demonstrate tha the plan meets these  
24 conditions. Warren v. Fidelity & Casualty Co. of N.Y. (In re Warren), 89 B.R. 87, 93 (B.A.P. 9th  
25 Cir. 1988); see also In re Lucas, 3 B.R. 252, 253 (Bankr. S.D. Cal. 1980)("In order to confirm  
26 any Chapter 13 Plan, the court must be satisfied...that the plan meets all the requirements of §  
27 1325(a).").

1 Section 1325(a)(5) requires a debtor's Chapter 13 Plan to distribute at least the allowed  
2 amount of a creditor's secured claim. Furthermore, the requirement that a debtor provide for the  
3 full value of a creditor's secured claim is mandatory for plan confirmation. See Barnes v. Barnes  
4 (In re Barnes), 32 F.3d 405, 407 (9th Cir. 1994). Here, the Debtor is proposing to pay Creditor a  
5 total of \$112,687.10. In order for Debtor's Plan to be confirmable, he would need to pay the full  
6 value of the claim with interest, which would total approximately \$355,000. Assuming for the  
7 sake of argument that the Debtor correctly lists the amounts of the other claims to be paid  
8 through the plan, the plan would need to pay out a total of approximately \$560,000.

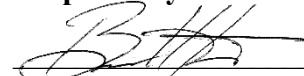
9 Section 1325(a)(6) requires debtors to show that it is feasible to make all plan payments  
10 and to comply with the terms set forth in the plan. A reviewing court should confirm a plan only  
11 if it appears under all circumstances that the plan has a reasonable likelihood of success. In re  
12 Craig, 112 B.R. 224, 225 (Bankr. N.D. Ohio 1990) (citing In re Anderson, 28 B.R. 628, 630  
13 (Bankr. S.D. Ohio 1982). Here, the Debtor has not provided sufficient evidence that his Chapter  
14 13 Plan is feasible. According to Debtor, he intends to fund the plan with his disposable income  
15 of \$304 per month, and an inheritance that he valued at \$375,000. This proposal would leave the  
16 plan underfunded by approximately \$167,000.

17  
18 **CONCLUSION**

19 It is clear that Debtor has filed this case in bad faith. His sole purpose in filing this case  
20 was to try and get a \$300 per month automatic stay. The Plan and any amendments thereto  
21 should not be confirmed unless Debtor provides for full payment of Creditor's claim and the  
22 Debtor can prove that he can feasibly make all of such payments. For these reasons, Creditor  
23 hereby requests that the confirmation of the Plan be denied and the case be dismissed.

24  
25 Date: February 8, 2023

**Respectfully submitted,**

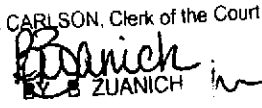


BENJAMIN HESTON,  
Attorney for Creditor

# EXHIBIT A

ELECTRONICALLY RECEIVED  
Superior Court of California,  
County of Orange  
01/04/2013 at 03:49:10 PM  
Clerk of the Superior Court  
By Amanda Rincon, Deputy Clerk

JUD-100

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): Jeffrey L. Molchan, Esq. SBN 183786 Legal Offices of David Grey 6100 Wilshire Blvd., Suite 1104, Los Angeles, CA 90048 TELEPHONE NO.: (323)857-9500 FAX NO. (Optional): (323)857-9525 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Plaintiff Chandler Olson		FOR COURT USE ONLY  <b>FILED</b> SUPERIOR COURT OF CALIFORNIA COUNTY OF ORANGE CENTRAL JUSTICE CENTER  JAN 16 2013 ALAN CARLSON, Clerk of the Court  ALAN CARLSON
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: 700 Civic Center Drive West MAILING ADDRESS: CITY AND ZIP CODE: Santa Ana, CA 92701 BRANCH NAME: Central Justice Center		
PLAINTIFF: Chandler Olson		
DEFENDANT: Arvin Mani, et al.		
<b>JUDGMENT</b> <input type="checkbox"/> By Clerk <input checked="" type="checkbox"/> By Default <input type="checkbox"/> After Court Trial <input checked="" type="checkbox"/> By Court <input type="checkbox"/> On Stipulation <input type="checkbox"/> Defendant Did Not Appear at Trial		CASE NUMBER: 30-2012-00567370-CU-PO-CJC

**JUDGMENT**

1. ☒ **BY DEFAULT**
  - a. Defendant was properly served with a copy of the summons and complaint.
  - b. Defendant failed to answer the complaint or appear and defend the action within the time allowed by law.
  - c. Defendant's default was entered by the clerk upon plaintiff's application.
  - d. ☐ **Clerk's Judgment** (Code Civ. Proc., § 585(a)). Defendant was sued only on a contract or judgment of a court of this state for the recovery of money.
  - e. ☒ **Court Judgment** (Code Civ. Proc., § 585(b)). The court considered
    - (1) ☐ plaintiff's testimony and other evidence.
    - (2) ☒ plaintiff's written declaration (Code Civ. Proc., § 585(d)).
2. ☐ **ON STIPULATION**
  - a. Plaintiff and defendant agreed (stipulated) that a judgment be entered in this case. The court approved the stipulated judgment and
  - b. ☐ the signed written stipulation was filed in the case.
  - c. ☐ the stipulation was stated in open court ☐ the stipulation was stated on the record.
3. ☐ **AFTER COURT TRIAL.** The jury was waived. The court considered the evidence.
  - a. The case was tried on (date and time):  
before (name of judicial officer):
  - b. Appearances by:

<input type="checkbox"/> Plaintiff (name each):	<input type="checkbox"/> Plaintiff's attorney (name each):
(1)	(1)
(2)	(2)
<input type="checkbox"/> Continued on Attachment 3b.	
<input type="checkbox"/> Defendant (name each):	<input type="checkbox"/> Defendant's attorney (name each):
(1)	(1)
(2)	(2)
<input type="checkbox"/> Continued on Attachment 3b.	
  - c. ☐ Defendant did not appear at trial. Defendant was properly served with notice of trial.
  - d. ☐ A statement of decision (Code Civ. Proc., § 632) ☐ was not ☐ was requested.

Page 1 of 2

PLAINTIFF: Chandler Olson	CASE NUMBER: 30-2012-00567370-CU-PO-CJC
DEFENDANT: Arvin Mani, et al.	

JUDGMENT IS ENTERED AS FOLLOWS BY: ☐ THE COURT ☐ THE CLERK

4. ☐ **Stipulated Judgment.** Judgment is entered according to the stipulation of the parties.

5. **Parties.** Judgment is

a. ☒ for plaintiff (*name each*):

Chandler Olson

and against defendant (*names*):

Arvin Mani

☐ Continued on Attachment 5a.

c. ☐ for cross-complainant (*name each*):

and against cross-defendant (*name each*):

☐ Continued on Attachment 5c.

b. ☐ for defendant (*name each*):

d. ☐ for cross-defendant (*name each*):

6. **Amount.**

a. ☒ Defendant named in item 5a above must pay plaintiff on the complaint:

(1) <input checked="" type="checkbox"/> Damages	\$ 111,998.50
(2) <input type="checkbox"/> Prejudgment interest at the annual rate of %	\$
(3) <input type="checkbox"/> Attorney fees	\$
(4) <input checked="" type="checkbox"/> Costs	\$ 688.90
(5) <input type="checkbox"/> Other ( <i>specify</i> ):	\$
(6) <b>TOTAL</b>	\$ 112,687.10

c. ☐ Cross-defendant named in item 5c above must pay cross-complainant on the cross-complaint:

(1) <input type="checkbox"/> Damages	\$
(2) <input type="checkbox"/> Prejudgment interest at the annual rate of %	\$
(3) <input type="checkbox"/> Attorney fees	\$
(4) <input type="checkbox"/> Costs	\$
(5) <input type="checkbox"/> Other ( <i>specify</i> ):	\$
(6) <b>TOTAL</b>	\$

b. ☐ Plaintiff to receive nothing from defendant named in item 5b.

☐ Defendant named in item 5b to recover costs \$  
☐ and attorney fees \$

d. ☐ Cross-complainant to receive nothing from cross-defendant named in item 5d.

☐ Cross-defendant named in item 5d to recover costs \$  
☐ and attorney fees \$

7. ☐ Other (*specify*):

Date:

1/16/13

☐

ROBERT J. MOSS

Date:

☐

Clerk, by \_\_\_\_\_, Deputy

(SEAL)
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**CLERK'S CERTIFICATE (Optional)**

I certify that this is a true copy of the original judgment on file in the court.

Date:

Clerk, by \_\_\_\_\_, Deputy

# EXHIBIT B

EJ-001

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, address, and State Bar number):  
After recording, return to:  
Pourcho Law Group, PC  
Ben W. Pourcho, Esq. SBN # 261983  
2618 San Miguel Drive, Suite 410  
Newport Beach, CA 92660

TEL NO.: 949-540-3879 FAX NO. (optional):  
E-MAIL ADDRESS (Optional): bpourcho@pourcholawgroup.com

☒ ATTORNEY ☒ JUDGMENT ☐ ASSIGNEE  
FOR CREDITOR OF RECORD

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Orange  
STREET ADDRESS: 700 Civic Center Drive West  
MAILING ADDRESS:  
CITY AND ZIP CODE: Santa Ana 92701  
BRANCH NAME: Central Justice Center

FOR RECORDER'S USE ONLY

PLAINTIFF: Chandler Olson  
DEFENDANT: Arvin Mani

CASE NUMBER:  
30-2012-00567370-CU-PO

**ABSTRACT OF JUDGMENT—CIVIL  
AND SMALL CLAIMS**

☐ Amended

FOR COURT USE ONLY

Pursuant to California Government Code § 68150(f), the Clerk of the Court hereby certifies this document accurately reflects the official court record. The electronic signature and seal on this document have the same validity and legal force and effect as an original clerk's signature and court seal. California Government Code § 68150(g).

1. The ☒ judgment creditor ☐ assignee of record applies for an abstract of judgment and represents the following:
- a. Judgment debtor's  
Name and last known address  
Arvin Mani  
19332 Pitcairn Lane  
Huntington Beach, CA 92646
- b. Driver's license no. [last 4 digits] and state: ☒ Unknown
- c. Social security no. [last 4 digits]: ☒ Unknown
- d. Summons or notice of entry of sister-state judgment was personally served or mailed to (name and address):  
Arvin Mani  
19332 Pitcairn Lane, Huntington Beach, CA 92646
2. ☐ Information on additional judgment debtors is shown on page 2.
3. Judgment creditor (name and address):  
Chandler Olson  
15123 Brookhurst St., Apt 165  
Westminster, CA 92863  
Date: July 1, 2022  
Ben W. Pourcho, Esq.
4. ☐ Information on additional judgment creditors is shown on page 2.
5. ☐ Original abstract recorded in this county:
- a. Date:
- b. Instrument No.:  
Ben W. Pourcho, Esq.

(TYPE OR PRINT NAME)

(SIGNATURE OF APPLICANT OR ATTORNEY)

6. Total amount of judgment as entered or last renewed:  
\$209,735.69
7. All judgment creditors and debtors are listed on this abstract.
8. a. Judgment entered on (date): 01/16/2013  
b. Renewal entered on (date): 08/24/2021
9. ☐ This judgment is an installment judgment.
10. ☐ An ☐ execution lien ☐ attachment lien is endorsed on the judgment as follows:  
a. Amount: \$  
b. In favor of (name and address):
11. A stay of enforcement has  
a. ☒ not been ordered by the court.  
b. ☐ been ordered by the court effective until (date):
12. a. ☒ I certify that this is a true and correct abstract of the judgment entered in this action.  
b. ☐ A certified copy of the judgment is attached.

[SEAL]



David H. Yamasaki, Clerk of the Court

This abstract issued on (date):  
07/05/2022

Clerk, by O. Saldivar, Deputy



PLAINTIFF: Chandler Olson  
DEFENDANT: Arvin Mani

COURT CASE NO.:  
30-2012-00567370-CU-PO

**NAMES AND ADDRESSES OF ADDITIONAL JUDGMENT CREDITORS:**

13. Judgment creditor (*name and address*):

14. Judgment creditor (*name and address*):

15. ☐ Continued on Attachment 15.

**INFORMATION ON ADDITIONAL JUDGMENT DEBTORS:**

16. Name and last known address

Driver's license no. [last 4 digits] and state: ☐ Unknown

Social security no. [last 4 digits]: ☐ Unknown

Summons was personally served at or mailed to (*address*):

17. Name and last known address

Driver's license no. [last 4 digits] and state: ☐ Unknown

Social security no. [last 4 digits]: ☐ Unknown

Summons was personally served at or mailed to (*address*):

18. Name and last known address

Driver's license no. [last 4 digits] and state: ☐ Unknown

Social security no. [last 4 digits]: ☐ Unknown

Summons was personally served at or mailed to (*address*):

19. Name and last known address

Driver's license no. [last 4 digits] and state: ☐ Unknown

Social security no. [last 4 digits]: ☐ Unknown

Summons was personally served at or mailed to (*address*):

20. ☐ Continued on Attachment 20.

# EXHIBIT C

## CASE INFORMATION

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[Case Information](#) | [Register Of Actions](#) | [FUTURE HEARINGS](#) | [PARTY INFORMATION](#) | [Documents Filed](#) | [Proceedings Held](#)

**Case Number:** 22STPB12425  
MANI, JOSEFA A. - DECEDENT

**Filing Courthouse:** Stanley Mosk Courthouse

**Filing Date:** 12/14/2022

**Case Type:** Decedent's Estate (General Jurisdiction)

**Status:** Statistical Disposition 01/25/2023

[Click here to access document images for this case](#)

If this link fails, you may go to the Case Document Images site and search using the case number displayed on this page

## FUTURE HEARINGS

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[Case Information](#) | [Register Of Actions](#) | [FUTURE HEARINGS](#) | [PARTY INFORMATION](#) | [Documents Filed](#) | [Proceedings Held](#)

**06/28/2024** at 8:30 AM in Probate Department 29 at 111 North Hill Street, Los Angeles, CA 90012  
OSC Re Petition for Final Distribution or Status Report

## PARTY INFORMATION

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[Case Information](#) | [Register Of Actions](#) | [FUTURE HEARINGS](#) | [PARTY INFORMATION](#) | [Documents Filed](#) | [Proceedings Held](#)

ALKANA EUGENE STEVEN - Attorney for Petitioner

MANI ARVIN P. - Petitioner

MANI JOSEFA A. - Decedent

TUCKER JAMES R. - Probate Referee

## Documents Filed

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[Case Information](#) | [Register Of Actions](#) | [FUTURE HEARINGS](#) | [PARTY INFORMATION](#) | [Documents Filed](#) | [Proceedings Held](#)

Documents Filed (Filing dates listed in descending order)

**01/25/2023** Petition Granted (Petition - Probate of Will (Initial) filed on December 14, 2022 by Arvin P. Mani. )

**01/25/2023** Will (Admitted )

**01/25/2023** DISP: Granted-Initial Petition-Before Hrg/Trial

**01/25/2023** Minute Order

**01/19/2023** Remote Appearance - Scheduled  
Filed by Petitioner

**01/17/2023** Supplement (Supplement to Petition for Probate of Will (Comment) )  
Filed by Petitioner

01/05/2023 Proof of Publication  
Filed by Petitioner

12/21/2022 Notice - Petition to Administer Estate (Notice of Petition to Administer Estate (Notices) )  
Filed by Petitioner

12/21/2022 Will Deposited (4 Pgs - Dated 05/06/2008 )  
Filed by Attorney

12/14/2022 Cover Sheet - Initial (PRO 010)

12/14/2022 Petition - Probate of Will (Initial)  
Filed by Attorney

Proceedings Held

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[Case Information](#) | [Register Of Actions](#) | [FUTURE HEARINGS](#) | [PARTY INFORMATION](#) | [Documents Filed](#) | [Proceedings Held](#)

Proceedings Held (Proceeding dates listed in descending order)

01/25/2023 in Probate Department 29, Bogdanoff, Lee R., Presiding  
Appointment Hearing - Decedent's Estate - **Held**

Register Of Actions

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[Case Information](#) | [Register Of Actions](#) | [FUTURE HEARINGS](#) | [PARTY INFORMATION](#) | [Documents Filed](#) | [Proceedings Held](#)

Register of Actions (Listed in descending order)

01/25/2023 in Probate Department 29, Bogdanoff, Lee R., Presiding  
Appointment Hearing - Decedent's Estate - **Held**

01/25/2023 Petition Granted (Petition - Probate of Will (Initial) filed on December 14, 2022 by Arvin P. Mani. )

01/25/2023 Minute Order

01/25/2023 DISP: Granted-Initial Petition-Before Hrg/Trial

01/25/2023 Will (Admitted )

01/19/2023 Remote Appearance - Scheduled  
Filed by Petitioner

01/17/2023 Supplement (Supplement to Petition for Probate of Will (Comment) )  
Filed by Petitioner

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Filed by Petitioner

12/21/2022 Will Deposited (4 Pgs - Dated 05/06/2008 )  
Filed by Attorney

12/14/2022 Petition - Probate of Will (Initial)  
Filed by Attorney

12/14/2022 Cover Sheet - Initial (PRO 010)

DE-111

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.: NAME: Eugene S. Alkana, SBN 60411 FIRM NAME: Eugene S. Alkana, APLC STREET ADDRESS: 131 North El Molino Avenue, Suite 310 CITY: Pasadena STATE: CA ZIP CODE: 91101 TELEPHONE NO.: (626) 796-8170 FAX NO.: (626) 795-6138 E-MAIL ADDRESS: eugenealkana@mindspring.com ATTORNEY FOR (name): Arvin P. Mani		FOR COURT USE ONLY	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: Los Angeles, California 90012 CITY AND ZIP CODE: BRANCH NAME: Central			
ESTATE OF (name): Josefa A. Mani, also known as Josefa Azurin Mani			
DECEDENT			
PETITION FOR <input checked="" type="checkbox"/> Probate of <input type="checkbox"/> Lost Will and for Letters Testamentary <input type="checkbox"/> Probate of <input type="checkbox"/> Lost Will and for Letters of Administration with Will Annexed <input type="checkbox"/> Letters of Administration <input type="checkbox"/> Letters of Special Administration <input type="checkbox"/> with general powers <input checked="" type="checkbox"/> Authorization to Administer Under the Independent Administration of Estates Act <input type="checkbox"/> with limited authority		CASE NUMBER: 22STPB12425	
		HEARING DATE AND TIME: Hearing Information: 1/25/2023 8:30 AM	DEPT.:

1. Publication will be in (specify name of newspaper): Arranged by Metropolitan News

- a. ☐ Publication requested.  
b. ☒ Publication to be arranged.

2. Petitioner (name each): Arvin P. Mani

eFile Petition No Original Will Submitted

requests that

- a. ☒ decedent's will and codicils, if any, be admitted to probate.  
b. (name): Arvin P. Mani, also known as Arvin Peter Mani and named in the Will as Arvin A. Mani be appointed  
(1) ☒ executor  
(2) ☐ administrator with will annexed  
(3) ☐ administrator  
(4) ☐ special administrator ☐ with general powers  
and Letters issue upon qualification.  
c. ☒ full ☐ limited authority be granted to administer under the Independent Administration of Estates Act.  
d. (1) ☒ bond not be required for the reasons stated in item 3e.  
(2) ☐ \$ bond be fixed. The bond will be furnished by an admitted surety insurer or as otherwise provided by law. (Specify reasons in Attachment 2 if the amount is different from the maximum required by Prob. Code, § 8482.)  
(3) ☐ \$ in deposits in a blocked account be allowed. Receipts will be filed.  
(Specify institution and location):

3. a. Decedent died on (date): September 29, 2020 at (place): Silver Spring, Maryland

- (1) ☒ a resident of the county named above.  
(2) ☐ a nonresident of California and left an estate in the county named above located at (specify location permitting publication in the newspaper named in item 1):

b. ☐ Decedent was a citizen of a country other than the United States (specify country):

c. Street address, city, and county of decedent's residence at time of death (specify):

1141 N. Berendo Street  
Los Angeles, CA 90029  
(Los Angeles County)

Page 1 of 4

DE-111

ESTATE OF (name):  
Josefa A. Mani, also known as Josefa Azurin Mani

CASE NUMBER:

DECEDENT

3. d. Character and estimated value of the property of the estate (complete in all cases):

- (1) Personal property: \$ 370,000.00  
(2) Annual gross income from  
(a) real property: \$ 0.00  
(b) personal property: \$ 5,000.00  
(3) Subtotal (add (1) and (2)): \$ 375,000.00  
(4) Gross fair market value of real property: \$ 0.00  
(5) (Less) Encumbrances: (\$ 0.00 )  
(6) Net value of real property: \$ 0.00  
(7) Total (add (3) and (6)): \$ 375,000.00

- e. (1) ☒ Will waives bond. ☐ Special administrator is the named executor, and the will waives bond.  
(2) ☐ All beneficiaries are adults and have waived bond, and the will does not require a bond. (Affix waiver as Attachment 3e(2).)  
(3) ☐ All heirs at law are adults and have waived bond. (Affix waiver as Attachment 3e(3).)  
(4) ☐ Sole personal representative is a corporate fiduciary or an exempt government agency.

- f. (1) ☐ Decedent died intestate.  
(2) ☒ Copy of decedent's will dated: May 6, 2008 ☐ codicil dated (specify for each):

are affixed as Attachment 3f(2). (Include typed copies of handwritten documents and English translations of foreign-language documents.)

☒ The will and all codicils are self-proving (Prob. Code, § 8220).

- (3) ☐ The original of the will and/or codicil identified above has been lost. (Affix a copy of the lost will or codicil or a written statement of the testamentary words or their substance in Attachment 3f(3), and state reasons in that attachment why the presumption in Prob. Code, § 6124 does not apply.)

g. Appointment of personal representative (check all applicable boxes):

- (1) Appointment of executor or administrator with will annexed:  
(a) ☒ Proposed executor is named as executor in the will and consents to act.  
(b) ☐ No executor is named in the will.  
(c) ☐ Proposed personal representative is a nominee of a person entitled to Letters. (Affix nomination as Attachment 3g(1)(c).)  
(d) ☐ Other named executors will not act because of ☐ death ☐ declination  
☐ other reasons (specify):

☐ Continued in Attachment 3g(1)(d).

(2) Appointment of administrator:

- (a) ☐ Petitioner is a person entitled to Letters. (If necessary, explain priority in Attachment 3g(2)(a).)  
(b) ☐ Petitioner is a nominee of a person entitled to Letters. (Affix nomination as Attachment 3g(2)(b).)  
(c) ☐ Petitioner is related to the decedent as (specify):  
(3) ☐ Appointment of special administrator requested. (Specify grounds and requested powers in Attachment 3g(3).)  
(4) ☐ Proposed personal representative would be a successor personal representative.

h. Proposed personal representative is a

- (1) ☒ resident of California.  
(2) ☐ nonresident of California (specify permanent address):

- (3) ☒ resident of the United States.  
(4) ☐ nonresident of the United States.

PETITION FOR PROBATE  
(Probate-Decedents Estates)

DE-111

ESTATE OF (name): Josefa A. Mani, also known as Josefa Azurin Mani

CASE NUMBER:

DECEDENT

4. ☒ Decedent's will does not preclude administration of this estate under the Independent Administration of Estates Act.
5. a. Decedent was survived by (check items (1) or (2), and (3) or (4), and (5) or (6), and (7) or (8))
- (1) ☐ spouse.
  - (2) ☒ no spouse as follows:
    - (a) ☐ divorced or never married.
    - (b) ☒ spouse deceased.
  - (3) ☐ registered domestic partner.
  - (4) ☒ no registered domestic partner. (See Fam. Code, § 297.5(c); Prob. Code, §§ 37(b), 6401(c), and 6402.)
  - (5) ☒ child as follows:
    - (a) ☒ natural or adopted.
    - (b) ☐ natural adopted by a third party.
  - (6) ☐ no child.
  - (7) ☐ issue of a predeceased child.
  - (8) ☒ no issue of a predeceased child.
- b. Decedent ☐ was ☒ was not survived by a stepchild or foster child or children who would have been adopted by decedent but for a legal barrier. (See Prob. Code, § 6454.)
6. (Complete if decedent was survived by (1) a spouse or registered domestic partner but no issue (only a or b apply), or (2) no spouse, registered domestic partner, or issue. (Check the first box that applies):
- a. ☐ Decedent was survived by a parent or parents who are listed in item 8.
  - b. ☐ Decedent was survived by issue of deceased parents, all of whom are listed in item 8.
  - c. ☐ Decedent was survived by a grandparent or grandparents who are listed in item 8.
  - d. ☐ Decedent was survived by issue of grandparents, all of whom are listed in item 8.
  - e. ☐ Decedent was survived by issue of a predeceased spouse, all of whom are listed in item 8.
  - f. ☐ Decedent was survived by next of kin, all of whom are listed in item 8.
  - g. ☐ Decedent was survived by parents of a predeceased spouse or issue of those parents, if both are predeceased, all of whom are listed in item 8.
  - h. ☐ Decedent was survived by no known next of kin.
7. (Complete only if no spouse or issue survived decedent.)
- a. ☐ Decedent had no predeceased spouse.
  - b. ☐ Decedent had a predeceased spouse who
    - (1) ☐ died not more than 15 years before decedent and who owned an interest in real property that passed to decedent,
    - (2) ☐ died not more than five years before decedent and who owned personal property valued at \$10,000 or more that passed to decedent, (If you checked (1) or (2), check only the first box that applies):
      - (a) ☐ Decedent was survived by issue of a predeceased spouse, all of whom are listed in item 8.
      - (b) ☐ Decedent was survived by a parent or parents of the predeceased spouse who are listed in item 8.
      - (c) ☐ Decedent was survived by issue of a parent of the predeceased spouse, all of whom are listed in item 8.
      - (d) ☐ Decedent was survived by next of kin of the decedent, all of whom are listed in item 8.
      - (e) ☐ Decedent was survived by next of kin of the predeceased spouse, all of whom are listed in item 8.
    - (3) ☐ neither (1) nor (2) apply.
8. Listed on the next page are the names, relationships to decedent, ages, and addresses, so far as known to or reasonably ascertainable by petitioner, of (1) all persons mentioned in decedent's will or any codicil, whether living or deceased; (2) all persons named or checked in items 2, 5, 6, and 7; and (3) all beneficiaries of a trust named in decedent's will or any codicil in which the trustee and personal representative are the same person.

DE-111

ESTATE OF (name): Josefa A. Mani, also known as Josefa Azurin Mani  DECEDENT	CASE NUMBER:
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8. Name and relationship to decedent Age Address

See Attachment 8, incorporated herein by reference.

☐ Continued on Attachment 8.

9. Number of pages attached: Seven

Date: 12-14-2022

Eugene S. Alkana

(TYPE OR PRINT NAME OF ATTORNEY)



(SIGNATURE OF ATTORNEY)\*

\*(Signatures of all petitioners are also required. All petitioners must sign, but the petition may be verified by any one of them (Prob. Code, §§ 1020, 1021; Cal. Rules of Court, rule 7.103).)

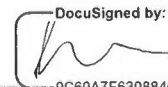
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 12/13/2022

Arvin P. Mani

(TYPE OR PRINT NAME OF PETITIONER)

▶

DocuSigned by:  
  
9C60A7F6308846B...

(SIGNATURE OF PETITIONER)

▶

(TYPE OR PRINT NAME OF PETITIONER)

(SIGNATURE OF PETITIONER)

Signatures of additional petitioners follow last attachment.



**ATTACHMENT 3f(2)**  
**LAST WILL AND TESTAMENT**

## LAST WILL AND TESTAMENT

I, **JOSEFA A. MANI**, a resident of Los Angeles County, California, being of sound mind and memory, do make, publish and declare this my Last Will and Testament, hereby revoking all former wills and codicils made by me.

**FIRST:** I am not married. My husband **PETER R. MANI** passed away on November 13, 2002. I have one adult child, namely: **ARVIN A. MANI**.

**SECOND:** I will and direct that all legally enforceable debts and funeral expenses be paid, whether or not such expenses are attributable to property included in my probate estate.

**THIRD:** I give, devise and bequeath all of the rest, residue and remainder of my estate and property, of whatever kind separate and community, and wherever situated, owned by me at the time of my death to the trustee(s) of **THE JOSEFA A. MANI**

**REVOCABLE TRUST, dated: MAY - 6 2008**, to be added to the assets held in trust and administered by its terms, including any amendments made during my lifetime.

If for any reason such distribution of the residue of my estate is ineffective, then I give such residue of my estate to the trustee(s) named in **THE JOSEFA A. MANI**

**REVOCABLE TRUST, dated: MAY - 6 2008**, to serve as trustee(s), to be held in a testamentary trust in accordance with the provisions of **THE JOSEFA A. MANI**

**REVOCABLE TRUST, dated: MAY - 6 2008**, including any amendments thereto made during my lifetime.

**FOURTH:** If any beneficiary of this will or any trust created under this will, singly or in conjunction with any other person:

Attachment 3P(3)

## Page 2, Last Will and Testament of JOSEFA A. MANI

- a. Contests or otherwise objects in any court to the validity of this will, any trust created pursuant to this will or any living trust created by me, any beneficiary designation of an annuity, retirement plan, IRA, Keogh, pension or profit-sharing plan or insurance policy signed by me, a buy-sell agreement signed by me, a family partnership agreement, limited liability company, or related operating agreement signed or established by me; or
- b. Seeks to obtain an adjudication in any court proceeding that a Document is void, or otherwise seeks to void, nullify or set aside a Document (or any of its provisions);
- c. Files suit on a creditor's claim filed in a probate of my estate against the trust estate, or any other Document, after rejection or lack of action by the respective fiduciary;
- d. Files a petition or other pleading to change the character (community, separate, joint tenancy, partnership, domestic partnership) of property already characterized by a Document;
- e. Claims ownership of any asset I held in joint tenancy;
- f. Files a petition to determine domestic partnership property for cohabitants relating to me;
- g. Files a petition of probate homestead in probate of my estate;
- h. Files a petition for family allowance in probate of my estate; or
- i. Participates in any of the above actions in a manner adverse to my estate, such as conspiring with or assisting any person who takes any of the above actions,

then the right of such beneficiary to take any interest given to him or her under this will or any trust created pursuant to this will or otherwise created by me shall be determined as it would have been determined had such beneficiary predeceased me without leaving surviving issue.

Page 3, Last Will and Testament of JOSEFA A. MANI

The executor is hereby authorized to defend, at the expense of my estate, any contest or other violation of this paragraph. Notwithstanding the foregoing, a "contest" shall include any action described above in an arbitration proceeding and shall *not* include any action described above solely in a mediation not preceded by the filing of a contest with the court.

Notwithstanding the foregoing, this paragraph shall not apply so as to cause a forfeiture of any distribution otherwise qualifying for the federal estate tax marital deduction or charitable deduction.

**FIFTH:** I authorize and empower my executor(s) to sell, transfer and convey any and all of the property of my estate, real and personal, and to execute, acknowledge and deliver good and sufficient transfers and conveyances thereof. My executor(s) shall act without bond. I designate **ARVIN A. MANI** (my son) as executor of this Last Will and Testament. If **ARVIN A. MANI** is unable or unwilling to serve as executor, I designate **MAY AZURIN REBOLLIDO** (my niece) as executor, to serve with all rights and responsibilities given to the original executor(s).

Signed on MAY - 6 2008, at LOS ANGELES, California.

  
JOSEFA A. MANI

Each of the undersigned states the following:


- (a) This instrument, consisting of FOUR pages, including the pages on which the signatures of the testatrix and the witnesses are affixed, was, at the date thereof, signed by the testatrix, **JOSEFA A. MANI**, as her will in the


Page 4, Last Will and Testament of JOSEFA A. MANI

presence of us and each of us, all being present at the same time, who, with the understanding that this is the testatrix's will and in each other's presence have subscribed our names as witnesses thereto.

- (b) At the time the testatrix signed the foregoing instrument the testatrix was over the age of eighteen (18) years and appeared to be of sound mind.
- (c) I have no knowledge of any facts indicating that the foregoing instrument, or any part of it, was procured by duress, menace, fraud, or undue influence.

Each of the undersigned, on his or her own behalf but not on behalf of the others, declares under penalty of perjury that the foregoing instrument is true and correct and that this declaration is executed on MAY - 6 2008, at LOS ANGELES, California.

 residing at \_\_\_\_\_  
\_\_\_\_\_  
Witness's Signature Street Address  
CARLITO M. TAN \_\_\_\_\_, California  
Print Name City

 residing at \_\_\_\_\_  
\_\_\_\_\_  
Witness's Signature Street Address  
HERMEN HERNANDEZ \_\_\_\_\_, California  
Print Name City

**ATTACHMENT 8  
PARTIES ENTITLED TO NOTICE**

Estate of Josefa A. Mani, Deceased

**Attachment 8**

<u>Name and Address</u>	<u>Relationship</u>	<u>Age</u>
Peter R. Mani	Predeceased spouse who died 11-13-2002	
Arvin P. Mani** 19332 Pitcairn Street Huntington Beach, CA 92646	Son; Petitioner and Successor Trustee of The Josefa A. Mani Revocable Trust, dated 5-6-2008	Adult

\*\*Arvin P. Mani is also known as  
Arvin Peter Mani. He is also  
named in the Decedent's Will and Trust  
as Arvin A. Mani

May Azurin Rebollido 25-4200 Bouchette Street Montreal, Quebec H3S1J2	Niece; Alternate named Successor Trustee of The Josefa A. Mani Revocable Trust, dated 5-6-2008	Adult
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Consulate General of Canada  
550 South Hope Street, 9th Floor  
Los Angeles, CA 90071-2327

Decedent died leaving no spouse and no registered domestic partner. Decedent had one child only, who is named above. There are no predeceased children. Decedent had no step-children or foster children who would have been inherited except for a legal barrier.

(The Decedent's Last Will and Testament was executed concurrently with the Decedent's Trust dated May 6, 2008. The Trust was not revoked by the Trustor. All parties named in the Trust are listed above).

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

**100 Bayview Circle, Suite 100  
Newport Beach, CA 92660**

A true and correct copy of the foregoing document entitled (*specify*): **OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN** will be served or was served (**a**) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (**b**) in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):**

Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) 2/8/2023, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Amrane (SA) Cohen (TR) efile@ch13ac.com  
Christina J Khil christinao@mclaw.org, CACD\_ECF@mclaw.org;mcecfnotices@ecf.courtdrive.com  
Christopher J Langley chris@slclawoffice.com,  
omar@slclawoffice.com;langleycr75251@notify.bestcase.com;ecf123@casedriver.com  
United States Trustee (SA) ustpreion16.sa.ecf@usdoj.gov

☐ Service information continued on attached page

**2. SERVED BY UNITED STATES MAIL:**

On (*date*) 2/8/2023 I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

The Honorable Theodor C. Albert	Arvin Peter Mani
411 West Fourth Street	19332 Pitcairn Ln
Suite 5085 / Courtroom 5B	Huntington Beach, CA 92646
Santa Ana, CA 92701	

☐ Service information continued on attached page

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL**

Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) \_\_\_\_\_, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed (state method for each person or entity served)

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

2/8/2023  
Date

Benjamin Heston  
Printed Name

/s/Benjamin Heston  
Signature